

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
DAVID RUGAR and BARBARA L. RUGAR, :  
Plaintiffs,

v.

KRAFT HEINZ FOOD COMPANY, :  
Defendant.

-----x  
ORDER

20 CV 868 (VB)

1. CIVIL COPY  
2. DOCUMENT  
3. ELECTRONICALLY FILED  
4. ECF  
5. DATE FILED: 9-1-22

The Court conducted a pre-motion conference today on the record, at which counsel for the parties appeared. Counsel discussed defendant's anticipated summary judgment motion, as outlined in defendant's letter motion dated August 2, 2022 (Doc. #55), and plaintiff's response dated August 16, 2022. (Doc. #59).

Accordingly, it is hereby ORDERED that by October 3, 2022, plaintiff's counsel shall file a joint letter updating the Court on the following:

- 1) the status of the parties' settlement discussions, including whether the parties have agreed to a forum for mediation, and whether there is anything the Court can do to assist in that regard; and
- 2) whether defendant intends to file a summary judgment motion. If defendant intends to file a summary judgment motion, counsel shall include a proposed briefing schedule. If defendant does not intend to file a summary judgment motion, plaintiff's counsel shall state whether the parties are prepared to proceed to trial. If necessary, the Court will schedule a further conference at that time.

Dated: September 1, 2022  
White Plains, NY

SO ORDERED:



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Vincent L. Briccetti  
United States District Judge